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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,155	01/24/2001	Richard L. Maliszewski	42390P10463	5250

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EXAMINER

WRIGHT, NORMAN M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 10/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Amendment

1. The examiner acknowledges the filing of an amendment on 7/22/05, amending claims 1-2, 4, 8-9, 11, 15-16, 18; adding new claims 30-33, and canceling claims 3, 5-7, 10, 12-14, 17, and 19-29. Now outstanding are claims 1-2, 4, 8-9, 11, 15-16, 18 and 30-33.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-2, 4, 8-9, 11, 15-16, 18, and 30-33 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Maliszewski et al., U.S. Pat. No. 6,662,060, hereinafter '060.

As per claims 1-2, 4 and 30-33, '060 teaches a method, apparatus, and an article for multimedia playback with title specific parameters comprising: a secure content based user experience enhancement player device, rendering digital content, accepting encrypted content, decrypting, down sampling the decrypted content, an enhancement module providing user experience enhancement, decompressing, rendering for perception by a user, tamper resistant technique to deter unauthorized access/title

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specific parameters/ first and second fidelity, down sampling prior to rendering, high fidelity digital content, lower fidelity content, digital audio data, first and second entities/ DVDs/ players/ modules (22, 24, 32), plug in software module / auto installer 32, and visual enhancement module/ displaying information, digital audio or video data (content data), see '060 figs. 1-2, column 2, lines 2-15 et seq. and lines 35-65, col. 3, line 5-10 et seq., lines 32-40, and 55-65, col. 4, lines 1-40, col. 5, lines 1 – col. 6, lines 35 et seq., .

As per claims 8-9 and 11, they distinguish from rejected claims 1-2, 4 by reciting an article comprising a storage medium having a machine-readable instruction/program for causing the method process to occur. '060 teach an embodiment that encompasses such an article (see col. 6, lines 1 et seq.), otherwise see above for the specifics of the rejection.

As per claims 15-16 and 18, they distinguish over rejected claims 1-2, 4, 8-9 and 11 by reciting a processing system for performing the method and article instruction processing. Similarly, '060 teaches a processing system (400), player device (22, col. 2, lines 36 et seq.), decryption agent/module (26), enhancement module (col. 3, lines 60-67, and col. 4, lines 1-16 and 30-43 et seq.) , down sampler (30) decompressor module (28, 62), renderer module, and a display (22), and see also figures 1-3, and col. 3, lines 38 seq..

Response to Arguments

4. Applicant's arguments filed 7/22/05 have been fully considered but they are not persuasive. Applicant's remarks that '060 does not disclose a plug-in module, applicant is advise to see (fig. 1, 22,24,32). As to the remarks that '060 does not teach audibly

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rendering the decrypted first fidelity content and sloving the problem of a third party gaining access to the plug-in module. It is moot since the elements are not elements of recited claims 1, 8 and 15.

5. Applicant's arguments with respect to claims 1, 8 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (571) 272-3844. The examiner can normally be reached on Monday to Fridays from 8am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Norman M. Wright
Primary Examiner
Art Unit 2134

nmw